

RESOLUTION NO. 2010-11-R

BE IT RESOLVED by the City Council (herein called "the Council") of the CITY OF MADISON, ALABAMA (herein called "the City"), as follows:

Section 1. Findings. The Council has ascertained and found and does hereby determine and declare as follows:

(a) that the City of Madison Board of Education has identified the need for an additional public high school to serve the residents of the City and the Council has approved and levied an additional one-half (1/2¢) sales tax so that the Board could obtain qualified school construction loan financing for funding of the construction cost of the new high school; and

(b) that the Board of Education has requested that the City of Madison consider an eight (8) mill increase to its existing rate of ad valorem taxation to provide a more stable source of funding for construction of the new high school, in substitution for the one-half cent (1/2¢) sales tax and to provide funds essential for the operation and maintenance of the new school; and

(c) that pursuant to the provisions of the general laws of the State of Alabama (including, without limitation, Sections 11-51-1 and 11-51-42 of the Code of Alabama 1975, as amended), Section 216 of the Constitution of Alabama of 1901, as amended, and an amendment to the Constitution of Alabama of 1901 proposed by Act No. 6 enacted at the 1978 Second Extraordinary Session of the Legislature of Alabama (herein called "Amendment No. 373"), the City is effectively authorized to levy and collect, without express limit as to time and for general municipal purposes, an ad valorem tax (herein called "the City General Purpose Tax") at the rate of not exceeding one and eight-tenths per centum [1.8%, equivalent to eighteen (18) mills] of the assessed value of taxable property in the City; and

(d) that the City is currently levying the City General Purpose Tax at the rate of one and eight-tenths per centum [1.8%, equivalent to eighteen (18) mills] of the assessed value of taxable property in the City; and

(e) that there was published on January 1st, 8th and 15th, 2010, in the Madison County Record, and on January 6th, 2010 in the Huntsville Times, newspapers having general circulation in the City, a "Notice of Public Hearing" stating, among other things, that there would be held on January 25, 2010, a public hearing on a proposal that the maximum rate of the City General Purpose Tax be increased from one and eight-tenths per centum [1.8%, equivalent to eighteen (18) mills] to two and six-tenths per centum [2.6%, equivalent to twenty-six (26) mills] of the assessed value of taxable property in the City; and

(f) that the Council has held and conducted such public hearing, on the date and at the hour and place specified in such published "Notice of Public Hearing," and that at such public hearing interested individuals were afforded an opportunity to express their views, whether orally or in writing, on such proposal.

Section 2. Proposal of Increase in Maximum Rate of General Purpose Ad Valorem Tax. The Council hereby proposes that the maximum rate

at which the City General Purpose Tax is authorized to be levied be increased from one and eight-tenths per centum [1.8%, equivalent to eighteen (18) mills] of the assessed value of taxable property in the City to two and six-tenths per centum [2.6%, equivalent to twenty-six (26) mills] of the assessed value of taxable property in the City, but only upon the approval hereafter of both

(a) the Legislature of Alabama, and

(b) a majority of the qualified electors of the City who vote on such proposal at a special election to be called and held in accordance with applicable provisions of law,

all as contemplated by, and as provided for in, subsection (f) of Section 217 of the Constitution of Alabama of 1901, as amended by Amendment No. 373. Further, the Council hereby approves, ratifies and confirms the aforesaid "Notice of Public Hearing" and the publication thereof as aforesaid.

ADOPTED this 25th day of January, 2010.

Bill Holtzclaw, President
City Council
City of Madison, Alabama

Attest:

Melanie A. Williard, City Clerk-Treasurer

APPROVED this 25th day of January, 2010.

Paul Finley, Mayor
City of Madison, Alabama

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(b) that the Board of Education has requested that the City of Madison consider an eight (8) mill increase to its existing rate of ad valorem taxation to provide a more stable source of funding for construction of the new high school, in substitution for the one-half cent (1/2¢) sales tax and to provide funds essential for the operation and maintenance of the new school; and

(c) that pursuant to the provisions of the general laws of the State of Alabama (including, without limitation, Sections 11-51-1 and 11-51-42 of the Code of Alabama 1975, as amended), Section 216 of the Constitution of Alabama of 1901, as amended, and an amendment to the Constitution of Alabama of 1901 proposed by Act No. 6 enacted at the 1978 Second Extraordinary Session of the Legislature of Alabama (herein called "Amendment No. 373"), the City is effectively authorized to levy and collect, without express limit as to time and for general municipal purposes, an ad valorem tax (herein called "the City General Purpose Tax") at the rate of not exceeding one and eight-tenths per centum [1.8%, equivalent to eighteen (18) mills] of the assessed value of taxable property in the City; and

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